

REMARKS

Claim 1 was objected to because of an informality. The claim has been amended herein to clarify the Cartesian coordinate system.

Claims 1 and 2 were rejected under 35 U.S.C. §102(b) as being anticipated by Patent No. 180,430 to *Lambert*.

Claim 1 has been amended herein to recite:

A surgical forceps used for the surgical reduction of fractured facial bones, the surgical forceps adapted to being received in holes in bone segments on opposite sides of the mouth, characterised by the fact that it comprises two shaped branches (2) each branch diverging from opposite sites starting from a respective central elastic loop (3) encircling 360° being in a first plane, with each branch developing on a Cartesian coordinate system and having a first rectilinear section (2a) joined to a second section (2b) with 90° orientation therebetween, the second section being in a second plane with respect to the loop (3) and each branch joined at an angle of 90° with respect to a respective ending section (2d) the respective ending sections being in a third plane perpendicular to the first and second planes, each ending section having an end (2e) oriented in a first direction and slightly bent towards the central loop (3) such that the slightly bent ends are received in the holes in the bone segments.

It is submitted that none of the cited references suggest or disclose surgical forceps of any type and, in particular, surgical forceps which are adapted to be received in holes in bone segments on opposite sides of the mouth. The specification on page 3, lines 4-13 and FIG. 3 disclose the holes in the bone segments and the slightly bent ends which are inserted in the holes. No new matter has been introduced. Rather the references are directed to clothes pins, display holders, wire frames and garment supporters. None of the references in any manner, suggest surgical use for the inventions. It is submitted that these are inappropriate references and persons skilled in surgical devices would not be motivated to consider art in these diverse fields.

More specifically, none of the cited references suggest nor disclose the device adapted to be received in holes in bone segments on opposite sides of the mouth. Neither do any of the references suggest or disclose slightly bent ends of the device which is received in the holes in the bone segments.

Further, none of the cited references suggest or disclose a device having 1) a loop connected to two first sections in a first plane (an X axis), 2) a pair of second sections at 90° to the first section and in a second plane (a Y axis), and 3) a pair of ending sections on the second section in a third plane perpendicular to the first and second planes (a Z axis). Attached is a marked-up copy of FIGS. 1 and 2 which indicate the first, second and third planes. For example, the entire clothes pin of *Lambert* is in only the plane of the loop. *Perry et al* (1,058,257) do not have ending sections perpendicular to the plane of the loop.

In addition, many of the cited references have no ending sections and those that could be interpreted to have an ending section, do not have the sections oriented in a first direction. For example, in *Cockrill* (1,253,468) the members 12 may be considered as ending sections but they are oriented in opposite directions. Also, if the links B of *Perry et al* are viewed as ending sections, the sections are oriented in opposite directions. Likewise, in *Harris et al* (878,777) the continuation of member 1 extends downwardly and terminates in a loop. The other member is carried straight upwardly as at b (column 1, line 36).

For the above-stated reasons, it is submitted that there is no single reference which discloses all of the elements of amended claim 1. Accordingly, lifting of the rejection under 35 U.S.C. §102(b) and allowance of claim 1 is respectfully requested.

Claim 2, dependent on claim 1 has not been further amended and allowance thereof is respectfully requested.

This Amendment is necessary to respond to a basis of rejection which was not previously raised.

The initial search was in the field of surgical instruments. No further references in this field were reported in the second Official Action. It is submitted that no additional searches are necessitated by the present Amendment.

It appears that all matters have been addressed satisfactorily, and that the case is now in condition for a complete allowance; and the same is respectfully urged.

However, if the Examiner has any comments or questions, or has any suggestions as per MPEP 707.07 (d) and (j), for putting the case in condition for final allowance, he is respectfully urged to contact the undersigned attorney-of-record at the telephone number below, so that an expeditious resolution may be effected and the case passed to issue promptly.

Respectfully submitted,



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